

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

IN RE: TESTOSTERONE REPLACEMENT
THERAPY PRODUCTS LIABILITY
LITIGATION

Case No. 14-cv-1748
MDL No. 2545
Hon. Matthew F. Kennelly

This Document Relates to All Cases

**Application of Norman E. Siegel for Appointment to Serve as
a Member of the Executive Committee and on the Plaintiffs' Steering Committee**

In accordance with the Court's Case Management Order No. 1, I, Norman E. Siegel of the law firm Stueve Siegel Hanson LLP, respectfully request appointment to serve as a member of the Executive Committee and on the Plaintiffs' Steering Committee for this multi-district litigation. I am counsel of record in *Nagel et al v. Eli Lilly & Co.*, Case No. 1:14-cv-04528 transferred to this Court from the Central District of California and my firm has been retained and intends to file cases on behalf of nearly 300 additional plaintiffs.

As a preliminary matter, I first learned of the Joint Application for Appointment to the Plaintiffs' Steering Committee (Doc. 150) at 3:30 p.m. on July 3. Although I have no objection to the proposed structure identified in the Joint Application, I respectfully request that the Court consider additional firms to serve on the Executive Committee and Steering Committee for this litigation, including those that have amassed a large volume of clients and thereby will necessarily have a deep interest in the outcome of the litigation. As contemplated by Order No. 1, I stand ready to engage with the firms supporting the Joint Application in an effort to reach a consensus on leadership but also respectfully request the Court independently consider this application.

Background

Based in Kansas City, Missouri and with 30 full time lawyers, Stueve Siegel Hanson LLP is one of the largest plaintiffs' firms based in the Midwest. The firm has a successful track record of results in personal injury, product liability, mass tort, complex business, class action, securities, and environmental actions while serving as lead or co-lead counsel in courts across the country. The firm prides itself on working with co-counsel and has a proud history of litigating cases cooperatively and efficiently in the spirit of Fed. R. Civ. P. 1 and the guidelines set forth in the Manual for Complex Litigation.

I have served in the leadership of more than a dozen multi-district cases, including a recent appointment as one of four lawyers to lead the consumer claims in *In re: Target Corp. Customer Data Security Breach Litigation*, MDL No. 2522 (D. Minn.), which consolidated scores of cases alleging that 70 million Target customers were victims of a

data breach, exposing personal information and credit and debit card numbers to hackers. I also currently serve in a leadership role in *In re: Simply Orange Juice Marketing and Sales Practices Litigation*, MDL No. 2361 (W.D. Mo.), and in this Court in *In re: Peregrine Financial Group Customer Litigation*, No. 12-cv-5546 (N.D. Ill.).

In a career spanning 20 years focused exclusively on complex litigation, I have been named to Best Lawyers in America, have been elected a Missouri Super Lawyer, and have been named “Best of the Bar” by the Kansas City Business Journal. I was also named to Lawdragon Magazine’s 500 Leading Plaintiffs’ Lawyers in America, and named a “Local Litigation Star” by Benchmark Plaintiffs. Prior to starting Stueve Siegel Hanson in 2001, I served as a Missouri Assistant Attorney General and as a partner at what is now Dentons. Additional information about my qualifications and my firm is available at www.stuevesiegel.com.

The Firm Has the Willingness and Availability to Commit to the Litigation and The Firm Has Professional Experience in this Type of Litigation

Stueve Siegel Hanson already has committed the resources needed to move this case forward efficiently and effectively. To date, the firm has been retained by 293 individuals and families claiming harm from low testosterone therapy. The firm has assembled an experienced and talented team devoted to this matter including firm partners Todd Hilton and Steve Six. Mr. Hilton has represented clients in numerous pharmaceutical cases including cases involving Prempro, Risperdal, Transvaginal Mesh, Vioxx and Zimmer Durom Hip Cup. In the *Vioxx* litigation, Mr. Hilton led a Stueve Siegel team that secured over \$220 million in relief for Missouri consumers who purchased Vioxx before it was removed from the market. Mr. Six served as a circuit judge and as the 43rd Attorney General of Kansas. As Attorney General, Mr. Six litigated several cases against the pharmaceutical industry including against AstraZeneca over deceptive marketing of Seroquel, and is credited with securing the state’s record recovery against Pfizer for off-label marketing, improper promotion, and false and misleading claims about the efficacy of its Cox-2 drugs Celebrex and Bextra. Prior to his public service, Mr. Six was an accomplished trial lawyer and has several multi-million dollar verdicts to his credit. In addition to experienced lawyers in this field, the Stueve Siegel litigation team includes a dedicated staff of paraprofessionals who have already devoted substantial time to the matter.

The Firm Has Access to Sufficient Resources to Advance the Litigation in a Timely Manner

Finally, the firm has ample human, financial, and other resources to advance the litigation in a timely and efficient manner. Backed by the firm’s dedicated Testosterone team, as well as the firm’s 30 well-credentialed trial attorneys, the firm has the ability to meet anticipated as well as unforeseen contingencies. Moreover, the firm is well-capitalized and has the financial wherewithal to litigate a case of this size and scope. In addition to the resources at its disposal, the firm has a well-established history of committing significant resources to similar litigation, providing an extremely strong basis for concluding the firm will do likewise here.

Given the significant number of clients represented by the firm, and the proven history of working cooperatively in complex litigation, I respectfully request appointment to the Executive and Steering Committees for this litigation.

Respectfully submitted,

STUEVE SIEGEL HANSON LLP

/s/ Norman E. Siegel

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CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive services in this MDL.

/s/ Norman E. Siegel

Norman E. Siegel